

**BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA**

MICHAEL WRIGHT,

Charging Party,
-v-
WAL-MART STORE,

Respondent.

Cause No. 0051011161

**ORDER AFFIRMING NOTICE
OF DISMISSAL**

On January 25, 2005, the Human Rights Bureau issued a Final Investigative Report and corresponding Notice of Dismissal and Notice of Right to Sue in the above-captioned matter. Charging Party, Michael Wright (Wright), filed objections with the Montana Human Rights Commission (Commission). The Commission considered the matter on May 17, 2005.

In the Final Investigative Report (FIR), the Human Rights Bureau Investigator determined a preponderance of the evidence did not support Wright's assertion that his former employer, Respondent Wal-Mart Store, discriminated because of race. After careful and due consideration, the Commission concludes the determination of the Human Rights Bureau is sufficiently supported by the record and there was no abuse of discretion in the issuance of a Notice of Dismissal. *Admin. R. Mont. 24.9.1714(3)*.

Charging Party will have 90 days after the receipt of this order to petition a district court in the district where the alleged violation occurred for the appropriate relief. *Mont. Code Ann. § 49-2-509(5) (2003); Admin. R. Mont. 24.9.1714(5)*. If Charging Party fails to commence a civil action within 90 days, the claim is time barred. *Id.*

IT IS HEREBY ORDERED, that Charging Party's objection is **overruled**. The Commission adopts the determination of the Human Rights Bureau and the Notice of Dismissal is affirmed.

DATED this ____ day of May 2005.

Chair Franke Wilmer
Human Rights Commission

CERTIFICATE OF SERVICE

The undersigned employee of the Human Rights Bureau certifies that a true copy of the forgoing Human Rights Commission ORDER was served on the following persons by U.S. mail, postage prepaid, on May ____ 2005.

MICHAEL WRIGHT
GENERAL DELIVERY
SAN FRANCISCO CA 94142-9999

WAL-MART STORE 2455
KIM HUMAN RESOURCES
701 SMELTER AVENUE
GREAT FALLS MT 59404

L. MECOLE BROWN
WAL-MART STORES
702 SOUTH WEST 8TH STREET
BENTONVILLE AR 72716

LEE BRUNER
POORE ROTH & ROBINSON
PO BOX 2000
BUTTE MT 59702

MARIEKE BECK
DEPARTMENT OF LABOR AND INDUSTRY
OFFICE OF LEGAL SERVICES
PO BOX 1728
HELENA MT 59624

Montana Human Rights Bureau